

1982 WL 189280 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 4, 1982

***1 Re: Bonds posted for fugitives**

Mrs. Edna Owens
Chief Deputy Clerk of Court
Post Office Box 1781
Columbia, S. C. 29202

Dear Mrs. Owens:

In a letter to this office you questioned the procedure to be followed in a situation involving bond being posted by an individual arrested pursuant to a fugitive warrant. You particularly questioned whether the documents and the funds associated with such should be transmitted by the magistrate to your office.

In your situation, bond was set at twenty thousand dollars with the provision that ten percent could be posted in cash as permitted by [Section 17-15-15, Code of Laws of South Carolina](#), 1976, as amended. The two thousand dollars subsequently posted, along with the proper filing fee and bond documents, were then transmitted to your office.

Pursuant to [Section 17-9-10, Code of Laws of South Carolina](#), 1976, a defendant arrested pursuant to a fugitive warrant is entitled to be released on bail. Furthermore, in accordance with [Section 17-15-15, supra](#), the ten per cent of the bond subsequently posted by the defendant was properly transmitted to your office. Therefore, in accordance with such provisions, such amount, along with any necessary documents, should be accepted by your office. If the defendant fulfills the conditions of the bond, the referenced posted amount should be returned in accordance with [Section 17-15-15, supra](#).

Sincerely,

Charles H. Richardson
Assistant Attorney General

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